



# Making Every Vote Count:

Report of  
Secretary of State Matt Blunt  
to the People of Missouri

January 29, 2001



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January 29, 2001

Dear Fellow Missourian;

Since the founding of our republic, Americans have endured the turmoil of close elections. Democracy has not only withstood the test, but has emerged stronger for the challenge. I believe that we will do so again if we take hold of this opportunity for reform.

The election of November 2000 brought to the nation's attention challenges for our election process. If we set aside partisanship and pledge to work together for the common good, we will forge sound, new policies to address these problems — policies that will diminish the possibility of a future crisis.

On November 7, 2000, the people of Missouri joined millions of others across our great nation to participate in one of the most unique elections in our country's history. The 2000 election will be remembered as one of the closest presidential races, and the first to involve our highest court.

Any election with a vote margin as slender as the one delivered last November will test the very foundation of our democracy — how we cast and tabulate our ballots.

Last November's election served to raise serious concerns in the public's mind, placing public trust in our election process in jeopardy.

Voters have a fundamental right to trust the process by which they impose their will upon government. The problems apparent in the last election merit an in-depth study. Appropriately, the federal government appears to be moving toward such an examination. The commission I appointed will continue its meetings, but where problems are obvious and widespread, we must have action now.

The current situation provides a unique opportunity. We must not lose this opportunity to reform our election laws and procedures and to enact responsible changes that will guarantee participatory democracy for the generations to come.

Every Missouri voter is entitled to fair and accurate elections in which each and every vote counts. As your Secretary of State, and the chief elections officer of Missouri, I deliver to you today a report prepared by the Commission to Review Missouri's Election Statutes, and with it my recommendations for reform. I pledge to work closely with members of the Missouri General Assembly to expeditiously pursue sound and innovative proposals that will guarantee fair and accurate elections.

Sincerely,

A handwritten signature in black ink that reads "Matt Blunt". The signature is written in a cursive style with a large, stylized "M" and "B".

Matt Blunt  
Secretary of State

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## **A Framework For Reform**

In light of the contentious recount of presidential ballots in Florida, public trust in our election systems and procedures has been threatened. In Missouri, court intervention in the St. Louis City election heightened public concern with the voting process.

Our first priority as elected leaders must be to restore public confidence in our election systems and procedures. As elected officials, we owe the people of Missouri quick, thorough and comprehensive action in order to address their concerns. We must act boldly if we are to restore public confidence in our democratic elections.

Following the 2000 election, several states began the process of reviewing their election procedures. In December 2000, I assembled a bipartisan commission of election experts from across the state to review our current laws, to seek public input and direction, and to make recommendations for changes and improvements in our election statutes. Missouri voters deserve reassurance that their concerns are being seriously considered, and that decisive actions are being taken to prevent a repetition of the recent Florida election crisis here in Missouri.

## **Implementing A Statewide, Uniform Election System**

I firmly believe that the cornerstone of any reform must be a move toward a uniform, statewide system of casting our votes and tabulating the outcome. The move to a new, uniform system must be done with careful deliberation.

In Missouri, three types of voting systems are currently authorized: punchcard, optical scan and paper balloting. In a mobile society, individuals readily move from a county where one type of system is used into a neighboring county where a completely different system is in operation. This lack of uniformity adds to voter confusion and ultimately may reduce voter participation.

In addition, the U.S. Supreme Court determined that without statewide standards to assure uniformity in the counting of ballots, regardless of the counting system used, some voters could be disenfranchised in violation of the U.S. Constitution. While counting one vote in one jurisdiction, Florida's lack of standards allowed for a similarly cast vote to be rejected in a neighboring jurisdiction.

Many new technologies have yet to be fully tested. Serious questions remain regarding adequate safeguards against fraud. How will the new electronic systems function in situations of emergency power inadequacies? Will the new systems provide audit trails adequate to provide a clear outcome in the face of a court ordered recount? How will new systems provide for access by physically challenged voters? Will the new equipment be simple and user friendly?

The financial impact of upgrading existing, antiquated equipment with new, modern systems will be costly. These and many other questions will have to be resolved before we take the next step of identifying resources and investing capital in new systems.

As leaders in our communities and government, we must take bold and immediate action to establish an election system that is both cost effective and takes advantage of the technological innovations of our age. If we begin now, we will ensure that Missouri will be a leader in providing its citizens with an election system that is convenient, accurate and secure.

## **Legislative Recommendations**

***I Recommend*** that the Missouri General Assembly adopt a uniform, statewide system as soon as possible, but only after meeting the following criteria:

- a) Address all security considerations,*
- b) Ensure that the new system will function in each of the jurisdictions of our diverse state,*
- c) Provide a paper audit trail,*
- d) Guarantee that the state of Missouri is willing to make a significant financial commitment in the acquisition of this new system and does not create an unfunded mandate for our local governments,*
- e) With the tremendous cost of replacing tabulation systems statewide, reasonable assurance must be given that the new system will remain functional and practical for decades to come.*

## **Calling for Early Balloting**

The reality of modern life has forced every Missourian to adjust their priorities. Legitimate concerns have been raised regarding the constraints of holding elections on a single Tuesday. Our families and careers make pressing demands on our time.

It is often difficult to squeeze a visit to the grocery store in between an important meeting with a client and picking up our children from soccer practice. We should minimize, as much as possible, the inconvenience of exercising our right to vote. Early voting is the best means of increasing the convenience of voting without sacrificing the integrity of the ballot box.

Missouri law sets six days annually on which elections can occur. In addition, recognizing the importance of representation, Missouri statutes provide for numerous special elections to fill vacancies. The number of voters participating in any given election varies significantly from one election to another.

Every two years, voters cast ballots on designated primary and general election days. At these elections, we elect our nation's president and vice president, our federal representatives to Congress, our governor and statewide officeholders, our representatives to the Missouri General Assembly and we conduct popular referendums on issues of statewide importance.

On primary and general election days, voter turnout is often at its highest. The staff and resources needed to accommodate the volume of voters is considerable. Identifying and securing centrally located polling sites accessible to physically challenged voters is problematic for local election authorities. Poll workers and election judges work long shifts, often well over thirteen hours, just to ensure that each and every Missourian has an opportunity to vote.

The volume of voters in the November 2000 election was extraordinarily high. Newspapers reported that lines exceeded two hours in some polling places. Older voters grew tired and younger voters could ill afford to be away from work for unreasonable lengths of time.



I find troubling, reports of voters leaving without voting, due to the long lines. One remedy for the pressure to process vast numbers of voters casting ballots on a single day would be to allow voters to cast ballots prior to primary and general elections.

Several states, including our neighboring state of Kansas, have already instituted procedures allowing for early voting.

Ideally, we will want to implement a process where voters can cast ballots over several days, continuing up to and through election day. Currently, such a system could be problematic.

We must provide ample time for local election authorities to adjust to a new process. Ample time must be provided for election authorities to adjust precinct records to accurately reflect those who have already voted. This way voter confusion leading to "double" voting and attempts to fraudulently alter election outcomes through multiple voting can be prevented.

While every effort must be made to recognize and reflect the challenges of voters in our voting procedures, we do not want to compromise the integrity of the election.

### **Legislative Recommendations**

***I Recommend** that Missouri voters be allowed to cast ballots in primary and general elections for a period of eleven days, beginning fourteen calendar days prior to election day and ending at 5:00 P.M. the Friday before the election.*

## **Pursuing Statewide Standards**

The United States Constitution guarantees every voter equal protection under the law. It is our solemn duty to honor and protect this fundamental right. Voting is a sacred trust, and every effort must be made to ensure that the validity of each individual vote is protected.

Following the contentious Florida recount, the terms "hanging chad" and "dimpled ballots" entered our popular nomenclature. It was noted that in some Florida counties, local election judges were counting as valid punchcard ballots with only one (of four) corners detached. Yet in a neighboring county, local election judges were requiring that at least two corners be detached before a vote was counted. Where one county counted punchcard ballots with an indentation made by the voting stylus as valid, another ruled such a ballot invalid.

The U.S. Supreme Court determined that a system with such multiple and varying standards for the counting of ballots would disenfranchise some voters.

In Missouri, three types of voting systems are currently certified: punchcard, optical scan and paper ballot. Each system has positive attributes and each system experiences unique challenges. It is important to recognize that with each of the different systems, different procedures are required to ensure that the intent of the voter is honored and that ballots are accurately and uniformly tabulated.

In light of the recent Supreme Court decision in *Bush v. Gore*, we must move quickly to review our procedures for counting ballots as they pertain to each of the tabulation systems certified in Missouri. We must adopt uniform standards as to what types of ballots will be counted as valid and what as invalid.

The National Association of State Election Directors (NASED) is in the process of reviewing tabulation and recount rules and procedures currently in place in each state. NASED could present its findings on ballot tabulation procedures as soon as this week. It would be wise to take into consideration these findings as we establish uniform tabulation procedures in Missouri.

Current Missouri statutes limit the ability to prosecute election irregularities and fraud to local prosecutors. Yet, while one prosecutor may actively pursue election related cases, another will not. Statewide standards must have uniform statewide enforcement.

### **Legislative Recommendations**

***I Recommend** that the Secretary of State be directed to promulgate rules which take into consideration the NASED findings and which detail the uniform counting and testing procedures Missouri election authorities are to use when counting ballots of all types. These rules shall also address uniformity in the hand counting of ballots in the case of a recount.*

***I Recommend** that the Secretary of State be extended the ability to subpoena information and witnesses to thoroughly investigate allegations of election violations.*

***I Recommend** that the Missouri Attorney General be authorized to prosecute allegations of election irregularities and fraud.*

## **Clarifying Voter Registration**

Prior to the National Voter Registration Act (NVRA), voter registration deadlines meant that local election authorities could experience lines of individuals wishing to register prior to the cut-off date. Since becoming effective in 1995, NVRA has provided local election authorities with some relief from demands on its resources and staff in managing voter registration.

Yet, the program has not been without its problems. NVRA dramatically expanded the number of locations where a voter could register to vote. NVRA required that registration forms be made available at most locations where the public did business with the state. Auto licensing offices and other state agencies became de-facto satellite registration sites.

Some agencies struggle meeting these unfunded federal mandates. Local election authorities often feel that agencies begrudgingly register voters. They note that agencies often have under-trained personnel as pertaining to NVRA requirements and responsibilities. They note that registration forms used by some agencies do not collect full and accurate information. They note that agencies often do not forward voter registration information to local election authorities in a timely manner.

In addition, some participating NVRA agencies come into contact with their constituencies repeatedly, which in turn inundates local election authorities with numerous repeat registrations. This redundancy seriously taxes election authority staff and resources.

As a direct consequence, voters often leave an NVRA agency thinking that they have been properly registered. Local election authorities are left with sorting out an administrative nightmare. This confusion jeopardizes one of the safeguards built into our election system to guarantee the integrity of each election.

Inaccurate registration rolls cause unnecessary confusion to election judges and ultimately serve to confuse the voter on election day. In some cases inadequate rolls can disenfranchise voters, denying them their legal right to vote.

Accurate voter registration rolls are a vital check in our election system, helping to guarantee the integrity of our results. Yet, voter confusion must be reduced. No voter must be denied their right to vote. Improvements in the voter registration system will work to reduce confusion, safeguard every individual's right to vote and help restore trust in the system.

### **Legislative Recommendations**

***I Recommend** that NVRA agencies be required to submit voter registration cards to the appropriate election authority within five business days of completion by the applicant.*

### **Administrative Actions**

***The Secretary of State will** conduct a review of forms and training procedures, work with NVRA agencies to address concerns regarding inadequate voter information and improve staff training for NVRA agencies.*

***The Secretary of State will,** work to improve the quality of voter registration rolls; reduce confusion and ensure that voters may vote on election day; review moving the date of the voter canvass to odd numbered years; examine utilizing the Postal Service Change of Address systems to check for invalid addresses; explore cross checking the statewide voter database with databases utilized by federal and state departments of vital statistics, departments of corrections, etc.*

***The Secretary of State will** ensure that voter registration forms and instructions be made available on the Secretary of State's web page so that voters may print copies to fill out and return to the appropriate election authority.*

***The Secretary of State will** work to improve voter registration forms to include clear instructions, clarify notary requirements, list locations to which applications must be mailed, and create a box where registrants may indicate that they wish to work as election judges.*

## **Seeking Qualified Election Judges**

Party participation in our electoral process is one safeguard built into our procedures to help ensure the integrity of each election. Missouri law requires party representatives to be involved in the process. These representatives are trained as to lawful procedures and help the local election authority conduct the election.

On election day, opposing party representatives not only carry out their duties, but carefully watch the actions of the other party's representatives, thus reassuring the general public that the likelihood of inappropriate activities are reduced.

This system provides a vital check in our process and works well when both parties are fully engaged in providing the local election authority with qualified representatives in accordance with Missouri law.

The job of election judge is not an easy one. Judges often work more than thirteen hours straight overseeing the casting and tabulation of votes. The need for accuracy and integrity creates stress, which is only compounded by voter confusion and frustration at the polls. Yet, compensation for election judges is at minimum levels.

As the major political parties have experienced some stagnation, many voters now prefer to identify themselves as "independents". Third parties have sprung up and are attracting growing pools of active voters.

Increasing demands on individual time from career and family, inadequate pay and the erosion of party strength all work to shrink the pool from which qualified election judges can be drawn. Local election authorities are experiencing difficulty in identifying and attracting individuals qualified to serve as judges.

## **Legislative Recommendations**

***I Recommend** that while maintaining mandates that four judges, two from each party, continue to serve as judges allowed to determine disputes at polling places and as supervisory judges, that Missouri law be changed to require local election authorities to appoint additional judges to serve in an ex-officio capacity, drawing from established third parties and those who do not claim political affiliation.*

***I Recommend** that matching funds equal to \$2.00 be made available to local election authorities to increase salaries for election judges, contingent upon local jurisdictions maintaining a minimum election judge salary of \$7.00 dollars an hour. These shall be spent solely for the purpose of increasing the pay of election judges.*

***I Recommend** that individuals who wish to serve as election judges be protected from losing their jobs because of their participation as election judges on election day.*

## **Administrative Actions**

***The Secretary of State will** work closely with local election authorities to develop and improve training materials for election judges.*

## **Renewing Voter Confidence**

Checks and balances are a major part of the framework of our democratic form of government. In Missouri we not only see that in the three branches of government, but also in the way election boards are formed in our urban areas.

Currently, boards of election commissioners are located in Missouri's large, urban areas but are also allowed in many other counties. Voters must have confidence that election boards will protect their right to fair elections.

Unfortunately, voters throughout Missouri have grown concerned that their votes are equally protected in the electoral system. These problems are often exacerbated in our largest jurisdictions, jurisdictions where boards of election commissioners oversee elections.

We all saw this year that many questions were raised in Kansas City and St. Louis. Allegations were made of improper compliance with statutory procedures. In some areas, due to long lines or confusion regarding registration, some voters felt that they were unfairly prevented from exercising their right to vote. Yet in other jurisdictions, voters who did not meet the prescribed voting requirements were allowed to vote, sometimes by court order.

The appointment of two members from each major political party to these boards was designed to give the voter confidence in the electoral system and to provide an internal check to the system. Current law provides for the governor – a member of one party – to appoint all of the commissioners. Determining the qualifications of the nominees is left up to the governor.

The current process has raised many questions about the fairness and makeup of these boards. At a time when voter confidence in the system is at an all time low, it is important that the process appears fair. Bipartisanship must be guaranteed in the process so all voters are confident that their interests are being protected. Truly bipartisan boards of election commissioners are certainly a step in the right direction toward achieving these goals.



In addition, Missourians are turning to third parties and independent alternatives. Our electoral system should be open to voters and candidates of all political parties and persuasions, and these participants should have confidence that their interests will be given equal consideration.

Many of these independent and third party voters feel disenfranchised since they have no representation on the election boards responsible for tabulating votes for their candidates. In some recent elections, third party candidates have received a large share of the total vote but have had no representation, either elected or appointed to election boards.

In the interest of guaranteeing the integrity of the process, and in allowing diverse opinions to add to political discussion, independents and third parties should have a voice. Greater involvement in the system is likely to increase voter turnout.

### **Legislative Recommendations**

***I Recommend** that the Missouri General Assembly change the election statutes to allow each major party's state committee to nominate four candidates for each position on any Board of Election Commissioners. The governor would then be required to select one of the nominees to be approved as prescribed by current Missouri statute.*

***I Recommend** that Missouri law be changed to allow each established party in Missouri, other than the two major parties, to nominate four candidates to the governor. From these four nominees, the governor would select one to occupy an ex-officio, non-voting seat on the board of election commissioners. Each election authority that is governed by a board of election commissioners would be required to accept this non-voting board member.*

## **Improving Voter Education**

Never in the history of America has so much information on candidates, elections and our procedures been available to the average voter. Yet, voter confusion not only persists, it occurs at unacceptable levels. We must work to improve the quality of instruction available and better target its availability so that voters are prepared to cast ballots on election day.

As a group, America's seniors have repeatedly participated in more elections than any other demographic. Common sense tells us that seniors tend to be better acquainted with voting procedures and equipment. Yet in Florida, where a large demographic of seniors reside, voter confusion was still a persistent problem in the November 2000 presidential election.

This confusion can be attributed in part to unfamiliarity with some of the new technologies. Some systems may be difficult to read or provide challenges to operation. The punchcard system's "butterfly ballot" came under close scrutiny in Florida for its inherent potential for confusion due to format.

There is a fundamental commitment in our democracy to the principle that voter participation is essential in making good electoral decisions. General elections tend to draw the highest levels of voter participation. Often, general election ballots are crowded with candidates and issues because we as a society want the broadest possible voter participation in these decisions. While concerns surrounding the "butterfly ballot" are serious and require action, we must not pursue a course that would limit voter participation.

The lack of a single, uniform voting system requires a mobile society to learn and become familiar with the operation of many different types of voting systems. Each of these factors can contribute to voter confusion.

Confusion can deny an individual their right to vote for the candidate or issue of their choice. Confusion can complicate the task of local election authorities in conducting smooth and accurate elections. Confusion can add additional demands on our judicial system, and ultimately voter confusion may further reduce participation.

Efforts to provide improved voter instruction must be aggressively pursued. We must be creative in identifying and developing new ways to educate voters regarding election dates, registration deadlines and the operation of different tabulation equipment.

Currently, there are youth programs operating in Missouri that reach out to young, potential voters. Programs like Kids Voting and First Vote provide valuable training and hands-on experience to the next generation of voters. These programs serve to help vest young people in the system, provide vital training and develop voting habits. Programs like these and others should be supported.

### **Legislative Recommendations**

***I Recommend** that local election authorities be required to post instructions on a poster no smaller than 24 inches by 30 inches in plain view at each polling place. Such instructions shall inform the voter that voting equipment can be demonstrated upon request.*

***I Recommend** that the "butterfly ballot" format be generally prohibited in punchcard voting systems. In instances where, due to the large number of candidates and issues on a ballot and there is no other alternative, local election authorities must provide to the Secretary of State's office a written explanation for the need for a "butterfly ballot". The Secretary of State must then provide back to the local election authority written approval for the use of a "butterfly ballot" in that instance.*

***I Recommend** that a fund be established to annually provide \$100,000 in matching grants to programs that provide education to students on Missouri's voting procedures and systems.*

***I Recommend** that the Secretary of State's Election Division develop multi-lingual voting instructions and sample ballots to be made available to local election authorities for use as they deem necessary.*

### **Administrative Actions**

***The Secretary of State will** work with Missouri educators to develop a sample curriculum for high schools that will detail how to vote, including*

*the operation of all state certified tabulation systems. Once developed, schools will be encouraged to include the curriculum in their civics programs.*

***The Secretary of State will** promulgate rules that would clarify and clearly direct local election authorities in using "butterfly ballots" in such a manner as to minimize voter confusion.*

***The Secretary of State will** work with local election authorities to improve the education and instruction of election authorities and election judges through developing new materials and assisting with training.*

## Upgrading Current Election Systems

Until the earliest possible time at which it is feasible to adopt uniform, statewide voting systems and procedures, we must continue to utilize systems currently certified in Missouri.

Often, these systems are antiquated and are in need of upgrades and replacement. Missouri voters deserve reasonable assurances that their vote will not be lost, destroyed or otherwise not counted by malfunctioning and inoperable vote tabulation equipment.

Electronics and computers have opened up a whole new field of possible technologies for casting and counting votes. Manufacturers are moving quickly to make available vote tabulation systems utilizing these new technologies. Yet, in our urgency to improve and upgrade voting systems, we must not certify equipment and systems with the potential to cast doubt on the integrity of an election. Legitimate security standards and procedures must be considered and implemented before certifying any new voting system in Missouri.

The National Association of State Election Directors (NASED) currently provides its own certification process. NASED provides intensive testing of the equipment and a review of procedures.

### **Legislative Recommendations**

***I Recommend** that Missouri law be changed to allow for the certification of touch-screen, and other new electronic vote tabulation systems as long as safeguards are in place to ensure the integrity of votes cast and ensure a paper audit trail in case of a contested election.*

***I Recommend** that a fund be established to annually provide a minimum of \$5,000,000 in matching grants to local election authorities to fund upgrades and modernization of current vote tabulation systems and to help fund the acquisition of the new technologies necessary to move to a uniform, statewide system as quickly as possible.*

## **Administrative Actions**

*The Secretary of State will promulgate rules that would require tabulation equipment certified for use in Missouri to pass the strict NASED testing criteria.*

*The Secretary of State will promulgate rules to establish clear and consistent guidelines for each vote tabulation system certified for use in Missouri.*

## Protecting Armed Forces Voting Rights

As a former voting officer aboard a ship in the U.S. Navy, I am acutely aware of what our nation's military personnel go through to exercise their right to vote. Living overseas, timely notice of elections back home can be problematic for both those on active duty and their families. As reports from Florida indicate, many military personnel did not return their ballots to local election authorities in time. It is unconscionable that we would disenfranchise the very individuals who go in harm's way to protect our democratic right to vote.

Missouri's legislature has already enacted legislation allowing the state's election authorities the ability to accept ballots from members of the armed forces by facsimile transmission and requiring them to do so in cases of national emergency. However, local election authorities may still decide not to accept these ballots. With small changes in our statutes, we can ensure that those who sacrifice so much will have their voices heard by those they protect.

### Legislative Recommendations

***I Recommend** that Missouri statutes be amended to require local election authorities to accept ballots cast by use of facsimile transmission when sent by a member of the United States military services from a location determined to be inaccessible on election day. Facsimile votes must be accompanied by notarization.*

***I Recommend** that the Missouri General Assembly pass a resolution encouraging the United States Congress to review challenges faced by our military personnel and to enact a comprehensive military voting rights act.*

## Seeking A Federal Role In Elections

In recent years, voter participation has stagnated and the available pool of qualified election judges has shrunk. One idea to address these concerns is to make the general election day a national holiday. It is an idea that offers few obstacles and adds no cost.

Recognizing the sacrifices made by our men and women in the armed services in order to protect our democracy, I can think of no better way to honor them than to move the observance of “Veteran’s Day” to coincide with our largest election day.

Making general election day a national holiday will assist in providing more election judges, assistance that is desperately needed in most counties.

In addition, state and local election authorities continue to suffer from unfunded federal mandates. The National Voter Registration Act (NVRA), while expanding voter rolls, has left the significant cost of implementation on the back of state and local jurisdictions. Old methods of voter notification, while still functional, are inadequate to reach our two income, highly mobile society. The cost and challenge of notifying and educating voters is becoming problematic.

The federal government must explore new and creative ways to provide financial relief to local election authorities and to provide assistance in strengthening our electoral process.

### Legislative Recommendations

***I Recommend** that the Missouri General Assembly pass a resolution encouraging the United States Congress to enact legislation making general election day a national holiday. This holiday should be observed on the first Tuesday after the first Monday in November and our national observance of Veteran’s Day should coincide with this date.*

***I Recommend** that the United States Congress establish a new postal frank similar to the frank available to the members of Congress. This*



*frank would be used by local election authorities to cover the cost of direct mail notification of voters.*

## Chapter 115 Revisions

As we work to improve our laws to better meet the dynamic and ever changing landscape of conducting fair and accurate elections, it is important that we continue to make adjustments to existing laws in order to meet new challenges.

### Legislative Recommendations

***I Recommend** that section 115.637 be changed to expand the area in which electioneering is prohibited outside of polling places on election day from the current 25 feet to 50 feet.*

***I Recommend** that the State of Missouri should pay current obligations to local election authorities under the proportional cost provisions of 115.065.4 and 115.157 for transactions submitted since August 28, 2000 as soon as feasibly possible.*

***I Recommend** that 115.277 be changed to allow caregivers to vote absentee in the same manner as disabled or handicapped voters under their care.*

***I Recommend** that 115.127.4 be changed to allow local election authorities greater flexibility to inform voters of elections by removing the limitation in jurisdictions with less than 500 registered voters.*

***I Recommend** that 115.346 pertaining to candidates in arrears of local taxes also be added to appropriate chapter for municipalities.*

### Administrative Actions

***The Secretary of State will** promulgate new rules standardizing and clarifying the use of stickers for write-in candidates.*

## **Conclusion**

Democracy works best when voters are fully vested and participating in the system. We in government have an obligation to make voting as convenient as the demand for integrity will allow. It is our charge to enact laws and rules that will ensure that each vote is fairly and accurately counted. We must be creative in helping to educate not only the public, but all those who implement our election laws.

It should be noted that included in my recommendations are proposals that may have significant costs. I would encourage the General Assembly to consider these recommendations carefully. Our election process is the cornerstone of our democratic system. In light of the contentious recount in Florida and the questions raised right here in Missouri last November, you must not be afraid to set new priorities for state resources and to act boldly to ensure fair and accurate elections that guarantee each and every Missouri vote counts.

Ultimately, the final responsibility for fair and accurate elections rests with the people of Missouri. It is their responsibility to educate themselves as to deadlines, election dates, polling place locations, and the accurate casting of their votes.

Six months from today, the Secretary of State's Office will begin a review of the actions taken on these proposals. Seven months from today, I will again report to you, the people of Missouri, my findings.

I call upon Missouri voters to do their part. Government must work to provide sound and sensible laws that help make voting convenient and accurate. Only when we set aside our partisan differences and work toward this common objective will we ensure that every Missouri vote cast will count.

# **The Blunt Commission**

## **to Review Election Statutes**



January 26, 2001

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## **Report of the Blunt Commission for Review of Missouri Election Laws**

After its official formation on January 8, 2001 by Missouri Secretary of State Matt Blunt, the Commission met in full session in Jefferson City at the State Information Center on January 9, 17, and 26. At its first meeting, Secretary Blunt gave the Commission its charge and appointed Paul DeGregorio, former Republican Director of Elections in St. Louis County, and Democratic County Clerk Bob Ravenscraft, of Marion County, as Co-Chairmen of the Commission. Secretary Blunt also directed that Betsy Byers, Democratic Director of Elections, and Will Leathem, Republican Director of Elections for his office as staff support for the Commission. At its first meeting on January 9, members of the commission expressed their views on election changes and had an initial discussion regarding problems that occurred in the conduct of the November 7, 2000 election. A survey was finalized which was distributed to all election officials in Missouri. At its January 17 meeting, the commission received a demonstration of touch-screen voting equipment and had a discussion regarding the information presented at the public hearings. On January 26, the commission observed another demonstration of new voting equipment and then completed its work on its recommendations to Secretary Blunt.

Secretary Blunt and the commission conducted a series of public hearings throughout the state at 18 sites over four days. During the hearings, over 125 Missourians voiced their opinion at the hearings with many also providing written testimony. In addition, dozens of Missourians sent in their thoughts on the election process via e-mail, fax and regular US mail. All of this was provided to the commission for its consideration and deliberation. Recommendations and suggestions were received from elected officials, candidates, and party officials representing a wide philosophical and political spectrum. The list included current and former members of Congress, members of the General Assembly, state and local political party chairs, and county and municipal representatives. Also, representatives of public interest, non-partisan groups and average citizens gave the commission their opinion on the election process in Missouri. Missouri's 116 election authorities were solicited for their opinions regarding Missouri's election laws.

The Commission indicated that Missouri's election officials recognize and accept their responsibility for providing procedures and equipment that ensure that elections are conducted fairly, and accurately reflect the will of the voters. The Commission also acknowledged that it is the ultimate responsibility of each voter to learn and accurately use the voting system in its jurisdiction.

The Commission commended Secretary Blunt for his leadership in appointing the commission and for recognizing the timeliness of such action. In addition, the Commission praised the Secretary for his bi-partisan approach to the election process by appointing a Republican and Democratic Director of Elections in his office and by appointing an equal number of Democrats and Republicans to the Commission and bi-partisan co-chairs of the Commission.

After careful review and consideration, the Commission made its recommendations to Secretary Blunt at its meeting of January 26, 2001. Secretary Blunt has indicated that the commission will continue to meet on a periodic basis to monitor election legislation and provide advice regarding the implementation of election laws and administrative rules.

**Members of the Blunt Commission include :**

Paul DeGregorio-former St. Louis County director of elections, Commission Co-Chair

Bob Ravenscraft-Marion County Clerk, Commission Co-Chair

Mary Berry-DeKalb County Clerk

Dorothy Cameron-St. Louis City election board director

Kevin Coan-St. Louis City election board director

Esther Atha Giffin-former Kansas City election board director

Anita Groepper-Moniteau County Clerk

Tom Herbst-Franklin County Clerk

Rosemary Kochner-former Saint Louis County assistant election director

Jim Lobbey-Jasper County Clerk

Gary Mallory-Cass County Clerk

Glenda Mott-Laclede County Clerk

Bob Nichols Jr.-Jackson County elections board director

Wendy Noren-Boone County Clerk

Gil Powers-Johnson County Clerk

Eleanor Koch Rehm-Jefferson County Clerk

Lynn Rogers-Ray County Clerk

Jim Sears-Randolph County Clerk

Richard Struckhoff-Greene County Clerk

Randy Taylor-Perry County Clerk

Sharon Turner-Kansas City elections board director

Dennis VonAllmen-Howell County Clerk

January 26, 2001

# The Blunt Commission on Review of Missouri's Election Statutes

## **Issue:      The Need for Qualified Election Judges**

### **Background:**

Missouri election law currently provides for the appointment of an equal number of election judges between the two major political parties (115.081). Testimony has revealed that many Missouri election authorities have difficulty in securing an adequate number of qualified election judges from the major political parties and other sources. Moreover, this limited pool of workers has made it difficult to secure election judges who can be adequately trained to administer Missouri election law at polling stations. This lack of qualified election judges has contributed to problems encountered by voters on election day. Testimony from election officials from the major political parties as well as leaders of third parties and non-partisan groups have urged a change in the law to allow for a greater pool of election workers.

It has also been found that some Missouri counties have difficulty in recruiting qualified election judges due to the inability to find adequate resources to pay election judges the minimum wage.

### **Legislative Recommendation:**

#### *Permit third party and non-partisan election judges*

While keeping the provision of 115.081 which mandates a minimum of four election judges, two from each major political party, the law should be changed to allow the election authority to appoint additional election judges representing other established political parties and those who do not claim a political affiliation. For the purposes of making a determination regarding disputes at polling places, only an equal number of election judges from the major political parties can participate in such decisions. Other judges can provide guidance in an ex-officio manner. Supervisory judges will continue to be appointed from the two major political parties.

#### *Provide funding for election judges*

In federal and state elections, including special state elections for candidates or issues, the state of Missouri should provide adequate funding to election authorities for the purpose of paying election judges the minimum wage. Election authorities should set the pay for election judges and may compensate election judges at a rate higher than the minimum wage.

### **Statutes Affected:**

115.081; 115.083; 115.087; 115.089; 115.079; 115.097; 115.433

### **Administrative Recommendation:**

The Secretary of State's office should provide assistance to Missouri election authorities in the recruitment of qualified election judges. In addition, the Secretary should assist election authorities in the training of election judges by providing training materials and techniques.



# The Blunt Commission on Review of Missouri's Election Statutes

## **Issue:      More Choices in Voting Systems**

### **Background:**

At the present time, Missouri election authorities are limited in the types of balloting equipment that may be purchased to allow voters to cast ballots on election days. One of the newest methods of voting is the use of an electronic DRE or “touch-screen” system. Such equipment has been in use in several states and has proven to be worthy of consideration by the state of Missouri. Touch-screen systems can provide election authorities and voters greater flexibility. Some can provide for voting in larger fonts, in a language other than English, and prevent a voter from overvoting a ballot. Urban election jurisdictions, with their longer ballots, can be given greater flexibility with such systems. It should be noted, however, that “touch screen” systems are very expensive and may be cost-prohibitive for many Missouri election jurisdictions, at this time. Finding resources to purchase such equipment could prove difficult for many election authorities in Missouri.

### **Legislative Recommendation:**

#### *Permit “touch-screen” voting in Missouri*

Missouri election authorities should continue to be allowed to select the voting system for their own jurisdiction. However, to provide for more choices, Missouri law should allow for the use of electronic “touch-screen” voting systems in Missouri, if certified for use by the Missouri Secretary of State. Such system should provide for a paper trail for each ballot cast.

#### *Provide funding to counties for voting equipment upgrade*

The state of Missouri should provide funding to local counties who wish to upgrade or improve their voting process or equipment. Such funding can be in the form of matching grants. In addition, the state should authorize local election authorities the ability to seek a bond issue to cover the cost of election equipment upgrade.

### **Statutes Affected:**

115.225; 15.013 (2); 115.237.2; 115.493; 115.433

### **Administrative Recommendation:**

If the law is changed to allow for the use of touch-screen voting equipment in Missouri, the Secretary of State should encourage vendors to present their equipment for certification. The Secretary should also establish clear and consistent guidelines for use of such equipment so that ballots are counted using the same procedure in any county that may utilize touch-screen voting. The Secretary of State's office should provide voter education assistance so that voters may be adequately informed regarding the use of such equipment.

# The Blunt Commission on Review of Missouri's Election Statutes

## **Issue:      Uniformity in the Counting of Ballots**

### **Background:**

In light of the Supreme Court's decision in *Bush v. Gore*, it is clear that Missouri must adopt statewide standards to assure uniformity in the counting of ballots – regardless of the counting system used. Currently, Missouri's election authorities using the same balloting system can use different standards in the counting of ballots – particularly in the hand-counting of ballots. In hand-counting punch cards for example, whether to count a “dimpled” or “pregnant” punch is left to the discretion of the local election authority. Similarly, in optical scan and paper ballot hand-counts, making a determination whether a ballot is valid because someone circled a name instead of filling-in a circle is left to the discretion of the election authority.

### **Legislative Recommendation:**

*Provide uniformity in counting of ballots*

The Secretary of State shall be directed to promulgate rules which detail uniform counting and testing procedures Missouri election authorities are to use when counting ballots of all types. These rules shall also address uniformity in the hand-counting of ballots.

### **Statutes Affected:**

115.449; 115.453; 115.455; 115.233

### **Administrative Recommendation:**

The Secretary of State should issue Code of State Regulations (CSR) regarding standards for the testing of equipment and counting of ballots. Such standards should be for each voting type used in Missouri and should be applied statewide. The Secretary should look at laws and rules that have been issued in other states regarding this issue.

There should be greater oversight of vendors who are used by election authorities to conduct elections. Consideration should be given to allow only new equipment that has been NASED certified. The Secretary of State should provide greater training to election authorities regarding election equipment.

# The Blunt Commission on Review of Missouri's Election Statutes

## **Issue:      Voter Education**

### **Background:**

While most voters in Missouri appear to be aware of the need to register to vote prior to an election and in how to properly cast a ballot on election day, it is recognized that some Missourians are not properly informed as to legal requirements for registration and how to use the mechanism to cast a ballot. It is clear that more needs to be done to educate those who are registering for the first time including young voters, new citizens and those who move to Missouri from other states, regarding deadlines and proper use of voting equipment. In addition, there should be mandated curriculum at elementary and high school levels to educate Missouri students about the voting process. The "Kids Voting" program is one that has proven to be successful and can serve as a model.

### **Legislative Recommendation:**

#### *Voting Instructions should be posted*

Each election authority should be required to post voting instructions at each polling place on a poster no smaller than 24 inches by 30 inches. Such instructions shall also inform the voter that the voting equipment can be demonstrated upon request.

#### *Require "voting" curriculum in schools*

High schools in Missouri should be encouraged to include the voting process as part of its civics curriculum. Upon request, election authorities should provide high schools with voting equipment from their county so that students can become familiar with the method of casting a ballot.

#### *Provide funding for Kids Voting and similar youth voting programs*

Recognizing that Kids Voting and other youth voting programs help educate and involve Missouri's youth in the political process, the State of Missouri should provide funding to help continue and expand such programs in Missouri.

### **Statutes Affected:**

115.417; 115.413; 115.419

### **Administrative Recommendation:**

Working with Missouri's election authorities, the Secretary of State should provide technical assistance to Missouri's election authorities in the development of voter education programs at the local level. In addition, the Secretary should promote voter education at the statewide level and enlist the support of all Missourians in this important endeavor.

# The Blunt Commission on Review of Missouri's Election Statutes

## **Issue:      Voter Registration**

### **Background:**

Missouri law and federal law both specify certain parameters by which citizens can register to vote. The federal National Voter Registration Act (NVRA), which became effective in 1995, greatly expanded voter registration sites and the ability of citizens to get on voter rolls. It also caused some major problems for election authorities as they sought to insure the integrity of voter lists. The use of agency-based voter registration sites has caused administrative and practical problems in the registration of voters. Numerous complaints were received around the state of serious problems with Department of Revenue offices who were not providing voter registration information on a timely and correct basis. It is clear that state agencies are not complying with the law that is causing serious problems for election authorities on election day. The postcard form used to register voters needs to be updated. Requiring a voter canvass in an major election year does not provide enough time to properly clean up voter records. The State Technology Fund can provide important resources to election officials to update their voter records.

### **Legislative Recommendation:**

*Require agencies to deliver voter cards within five days*

Any agency designated as a voter registration site must submit voter registration cards to the appropriate election authorities within five business days of completion by the applicant.

*-Move voter canvass procedures to odd-numbered years*

*-Allow the use of U.S. Postal Service-approved change of address system*

*-Renew the Technology Fund*

### **Statutes Affected:**

115.135, 115.162 (2); 115.189; 115.163; 115.179

### **Administrative Recommendation:**

The Secretary of State should write rules that enforce the provisions of 115.136 regarding the NVRA. In addition, the Secretary of State's office should conduct a thorough review of registration procedures used throughout the state. The postcard which is used to register voters should be redesigned to make it more usable by the voter and data-friendly for election authorities.

The statewide voter registration system needs to be improved and automated so that it can be utilized in a more efficient manner by election authorities of the state. Such improvements should include a computerized matching system for duplicate voters.

The Secretary of State should reactive the Technology Advisory Committee. In addition, the Technology fund should be renewed and expanded to provide greater assistance to election authorities. Such fund shall provide to election authorities the tools necessary to implement fail-safe voting.

The Secretary of State should initiate a training program for election authorities in regard to state and federal voter registration laws and procedures.

# The Blunt Commission on Review of Missouri's Election Statutes

## **Issue:      Inconsistency of Court-Ordered Voting**

### **Background:**

The role of state courts in the election process came under intense scrutiny during the November 7<sup>th</sup> election. This included the ordering of the polls to stay open in the City of St. Louis; the inconsistency shown in the granting and denial of court orders; and Supreme Courts rulings in the Florida case. It is clear that courts are playing an increasing role in determining the outcome of elections. In many cases, when the election authority will not permit someone to vote because they failed to meet legal requirements, some voters will apply for a court order to vote. In some counties, a circuit judge will issue a court order to allow that voter to cast a ballot while another circuit judge in another county will deny someone the opportunity to vote even when the reasons stated are exactly the same in both counties. This lack of uniformity and misapplication of the law does not allow for equal protection and fairness for all Missourians. Some of the court orders issued clearly were in violation of provisions in Chapter 115.

### **Legislative Recommendation:**

#### *Preclude ability of circuit court to keep polls open*

Inasmuch as the extension of voting in one county may affect the outcome of a statewide election, circuit court judges must be precluded in their ability to keep polls open in any jurisdiction of the state. The law should provide limitations on what actions a circuit judge can take in the election process. Polls should only be kept open beyond their usual closing time under extraordinary circumstances situations such as acts of God or natural disasters. Only the Missouri Supreme Court should have the authority to extend voting hours in a statewide election.

#### *Specify authority of circuit court judges in voting*

No circuit court judge shall issue a court order requiring an election authority to allow a person to vote who has not attempted to register to vote in the election authorities' jurisdiction before the 4<sup>th</sup> Wednesday prior to the election.

#### *Allow other parties to appeal court decisions*

Political parties and candidates on the ballot should be allowed to be present when court orders are sought by those denied the opportunity to vote by an election authority. In addition, political parties and candidates should be allowed to intervene and appeal such court decisions immediately to a higher court, if not done so by the election authority.

### **Statutes Affected:**

115.223; 115.429.2; 115.135

### **Administrative Recommendation:**

The Secretary of State should investigate court orders issued by the circuit court around the state during the November 7, 2000 election. With this data, the Secretary should meet with the court to develop clear and uniform guidelines for circuit court judges in the issuing of court orders on election day. It should be stressed that the election laws of Missouri must be followed in the issuing of orders allowing voters to cast a ballot on election day.

## The Blunt Commission on Review of Missouri's Election Statutes

### **Issue:      Proper Checks and Balance & Transparency**

#### **Background:**

Election authorities of urban areas, bi-partisan election boards are now appointed by the governor. Having the governor appoint members of the opposite political party has led to accusations of a weakening of proper checks and balances intended by law. Indeed, governors have appointed members of the opposite party who are unknown to or who are not active members of the political party they represent. It is vital that there be proper checks and balances in the voting process in order to prevent one-party domination, fraud, and to ensure public confidence in the system. Also, minor political parties have complained of being shut out of the process that counts votes for their candidates.

#### **Legislative Recommendation:**

##### *Give political parties a say on election board membership*

Require the two major political parties to submit names to the governor for appointment of their representatives to election boards. The State Committee of the party may submit up to four names for consideration. The State Committee of such party may defer to the local county committee for such recommendation.

##### *Give third parties a seat at the table*

In counties with election boards as their election authority, Missouri law should allow any political party (other than the two major political parties), which have achieved statewide or local ballot status, to have an ex-officio member on a local election board. Such member shall not have voting status, and may not be compensated, but shall be allowed to participate in discussions and be legally informed of any meeting of such board.

#### **Statutes Affected:**

115.027

## The Blunt Commission on Review of Missouri's Election Statutes

### **Issue:      Military and Overseas Voting**

#### **Background:**

Members of the US Military and other Missouri citizens who are overseas have had problems in casting ballots due to being assigned to remote locations which make it difficult, if not impossible, to cast ballots in an election.

#### **Administrative Recommendation:**

Working with the United States Department of Defense, the Missouri Secretary of State should develop guidelines and procedures to insure the ease of voting by the members of the Armed Forces and overseas voters who are citizens of Missouri. The Secretary should also look into state laws regarding military voting, especially those which may go beyond federal laws and allow military voters who are not permanent Missouri residents the ability to cast ballots on local matters.

## The Blunt Commission on Review of Missouri's Election Statutes

### **Issue:      Butterfly Ballots**

#### **Background:**

So-called “Butterfly ballots” are used in punch card jurisdictions in the urban areas of Missouri due to the lengthy ballot found in such jurisdictions. Butterfly ballots are where two ballot pages are used side by side and where voters must vote on candidates or issues on both sides of the pages. In almost all cases, such use takes place in federal elections. In some cases, every punch position on the ballot page has to be utilized. Such ballots can confuse the voter and are usually avoided by election authorities whenever possible. However, many times butterfly ballots must be used due to the number of local propositions on a federal ballot.

#### **Legislative Recommendation:**

*Limit what is placed on the ballot in urban areas in federal general elections*

In urban jurisdictions using punch card balloting, local political subdivisions should not be allowed to place issues on the ballot in a federal general election.

#### **Statutes Affected:**

115.237; 115.239

#### **Administrative Recommendation:**

The Secretary of State should provide some guidelines on the use of butterfly ballots in punchcard voting including specifications on the alignment used between the arrows and punch position.



# The Blunt Commission on Review of Missouri's Election Statutes

## **Issue:      Early Voting**

### **Background:**

There has been much discussion about the need to expand the opportunities for voters to cast ballots in an election. One of the proposals in this area is the concept of Early Voting. Early voting is a procedure which allows voters to cast ballots prior to election day –for any reason. Most studies of early voting have shown that early voting adds a significant cost to an election. In addition, there is much data that shows that early voting does not increase the overall turnout in elections. Nevertheless, early voting is a new convenience for voters and should be considered. At the same time, if mandated by law, the state of Missouri must commit to paying all cost associated with early voting. Making early voting at the discretion of the election authority may violate the “equal protection” provisions of the U.S. Constitution.

### **Legislative Recommendation:**

#### *Early Voting*

If early voting is authorized by the Missouri legislature, it is imperative that the state of Missouri provides the necessary funding for its implementation. Such voting should occur over a period not to exceed 10 days and end no later than ten days prior to the election, in order for election authorities to prepare the necessary voter lists so that double voting or voter fraud can be prevented. All early voting days should be uniform in the state. It should also be noted that any proposal to provide for “no-fault” absentee balloting will significantly increase the cost of elections and may cause great confusion if permitted with early voting.

### **Statutes Affected:**

115.

### **Administrative Recommendation:**

Recognizing the significant change that early voting will have on the administration of elections by local election officials, the Secretary of State should survey all Missouri election authorities to determine which dates may work best for their jurisdiction for early voting and the financial impact.

The Secretary of State should monitor compliance of early voting and should administer the funds to local election authorities for the implementation of early voting.

# The Blunt Commission on Review of Missouri's Election Statutes

## **Issue:      Fair Ballot Language**

### **Background:**

Election officials and voters are often frustrated by the confusing language that is used for various propositions that are placed before voters. It is crucial that voters are able to easily understand any proposition on the ballot so that they can make their choice in a fair manner. In addition, many propositions placed on the ballot contain language that cannot be described as neutral.

### **Legislative Recommendations:**

#### *Require entities to provide fairer and more neutral ballot language*

Statutes relating to the method by which ballot language is certified needs to be reviewed to determine if it can be revised to make ballot language more fair, easily understood, and neutral.

### **Statutes Affected:**

116.xxx

### **Administrative Recommendation:**

The Secretary of State should urge local and state entities to use fair and plain language when propositions are place on the ballot.

# The Blunt Commission on Review of Missouri's Election Statutes

## **Issue:      Election Funding**

### **Background:**

Elections are the cornerstone of our American democracy. Missourians must have faith in our system of elections so that voters believe in the legitimacy of those elected to public office or votes cast on propositions. Far too often, the Missouri General Assembly and the United State Congress make changes in election laws without providing proper funding to election officials to carry out such mandates. The result is administrative problems that can lead to inaccurate voter lists, long lines at polling stations and voter confusion. It is imperative that legislators recognize the impact of changes in election laws on the administration of elections. Conducting free and fair elections and serving the voter is the mission of every election authority. Election officials are always on the front line of proposing positive changes to our voting process.

### **Legislative Recommendations:**

#### *State should pay its current obligations*

The State of Missouri should pay its current obligations to election authorities for transactions submitted since August 28, 2000.

#### *State should provide continued funding of transaction fees*

Such funds will provide counties with funds to update their equipment.

#### *State should re-instate funding of Technology Fund*

Such funds will allow the Secretary of State to replace outdated equipment originally purchased for the state voter registration system.

#### *State should appropriate funds that will allow local jurisdictions to receive matching grants from federal government*

#### *The state may provide targeted funding in presidential elections to improve communications between polls and election authority*

### **Statutes Affected:**

115.063; 115.069; 115.071; 115.073; 115.077

### **Administrative Recommendation:**

The Secretary of State should urge the legislature to provide proper funding for the conduct of elections and the implementation of any legislative mandates.

## The Blunt Commission on Review of Missouri's Election Statutes

### **Issue:      International Observers**

#### **Background:**

The United States promotes democracy through the exchange of ideas between people from all over the world. Often, the United States government will invite officials from foreign countries to observe US elections first-hand. While most Missouri election officials open their polling places to official foreign guests for observation, the law is not clear on this subject.

#### **Legislative Recommendation:**

##### *Permit Foreign Observers*

The law should give Missouri election officials the authority to permit the observation of elections and election-related activity by official observers from foreign countries. The Secretary of State should be notified whenever permission is granted or denied by Missouri election authorities regarding the observation of an election by a foreign observer.

#### **Statutes Affected:**

115.409; new

#### **Administrative Recommendation:**

The local election authority and Secretary of State should be given a copy of any written report issues by foreign officials regarding their observation of an election.

## The Blunt Commission on Review of Missouri's Election Statutes

### **Issue:      Clean Up Legislation**

#### **Background:**

Often, after new election legislation is enacted, the practical application of such laws exposes some minor problems in the law such as conflicts, lack of clarity or mandates that are impossible to implement. Missouri election officials have recommended minor technical changes that would help streamline the election process in Missouri.

#### **Legislative Recommendations:**

*Need clarification on intrastate new residents (115.275.3)*

*Language on absentee ballots needing notarization needs to be improved (115.283)*

*Election authorities need better notification of felons (115.195)*

*Allow caregivers to vote absentee in the same manner as disabled or handicapped voters under their care (115.277)*

*Move 115.346 (municipal candidate requirements) to Chapter 79 or other appropriate Chapter.*

*Improve language regarding write-in ballots (115.453.4)*

*Allow election authorities the ability to determine whether the use of stickers for write-in ballots should be permitted in their jurisdiction (115.439(5))*

*Move electioneering to 75 feet from entrance to polling place (except for City of St. Louis) 115.637 (18)*

*Voter Notification: Allow election authorities the ability to mail a sample ballot to voters in lieu of publication requirement (115.129)*

*Remove “500 or less voters” provision in 115.127.4 to allow election officials greater flexibility in informing voters of election*

#### **Administrative Recommendation:**

Working with Missouri's election officials, the Secretary of State's office should insure that any minor technical changes in Chapter 115 that are needed should be considered in any election legislation which will be considered by the General Assembly this year.

## The Blunt Commission on Review of Missouri's Election Statutes

### **Issue:      Administrative Recommendations**

The commission would like to recommend to Secretary of State Blunt the following practices that we believe would improve the process of conducting elections in Missouri.

#### *Conduct frequent training conferences with Missouri's election officials*

The Secretary of State should conduct periodic meetings/conferences with Missouri's election officials. Such sessions can bring in professional training specialists and technical experts who can provide important information. The Secretary should be encouraged to utilize the University of Missouri and the MORENET interactive telecommunication system to facilitate these conferences to save costs and time.

#### *Update Training Manual*

The Secretary of State's office should update the training manual it provides to election officials.

#### *Continued Communications*

Through the use of electronic mail, faxes, and other methods, the Secretary of State's office should keep Missouri's election officials continually informed of any new federal and state laws, rules and procedures relating to elections.

# The Blunt Commission on Review of Missouri's Election Statutes

## **Issue:      The Federal Role in Elections**

### **Background:**

The state of Missouri, like all states, conducts elections for federal offices (President, Senator and Congress). While federal laws dealing with voting are somewhat limited, in recent years we have seen an increase in federal laws that mandate certain activity by the states and local election authorities in the voting process. At the same time, the federal government does not provide one penny towards the conduct of federal elections by local election authorities. The problems associated with the recent presidential election have resulted in many proposals at the federal level dealing with elections. Some of those proposals have included uniform voting systems for every county in every state to financial support for the development and procurement of new voting systems. The federal government can play a role in providing funding for research, development and certification of new voting systems.

### **Legislative Recommendations (Federal):**

#### *No one system will work nationwide*

We believe that the federal government should not mandate any particular voting system for any state or for any voting jurisdiction in the United States. Recognizing that each of the fifty states are empowered by the Constitution and federal law to secure their own election laws which determine what may or may not be voted upon in an election; and recognizing the diversity in size of the urban and rural counties, it is clear that the United States is not a 'one size fits all' country and that mandating a certain system for all would simply not work.

#### *Certify a number of voting systems for use*

The federal government can provide assistance to election authorities by conducting tests of various types of voting equipment that is currently being used or proposed to be used in the United States. Such tests would include the ease of use and accuracy of counting and official certification of equipment that is determined to meet strict criteria. In order to provide greater choice by election authorities and competition by vendors, official certification of equipment should not be limited just to a few voting systems.

#### *Provide funds for upgrades to voting system*

Many election authorities would like to upgrade from punch-card or other voting systems which may now be out-dated. However, securing funds for such upgrade is likely to be difficult due to the high cost of some modern systems. The federal government should provide grant funds that would pay up to 50% of the cost for the purchase of new voting equipment by election authorities. The equipment would have to be certified for use by an agency of the US government and funds would have to be matched by the state and/or local government.

#### *Provide funding for federal elections*

The federal government should provide funds to states to conduct federal elections. Funds can be distributed based on a calculation of the population of a state. Such funds will then be distributed to local election authorities to pay for costs associated with the federal election.

#### *Declare Federal Election Days as National Holidays*

By making federal general election days a national holiday, it would provide a greater pool of citizens who can serve at the polls as election judges. In addition, it would greatly alleviate the problem of

finding adequate polling places and parking for voters on election day. Such a day off may also encourage greater voter participation in the election.



## APPENDIX B

### Field Hearing Summary of Testimony

## St. Louis

### Witness

**Lacy Clay**

Congressman (D)

### Testimony Summary

Problems: -Antiquated and faulty equipment  
-Inadequate training of election judges  
-Inadequate education of voters with voting system  
-Procedural problems with current voting procedures

Solutions: -Replace punch-card system with modern technology  
-Improve Election Day communication between election judges & Board of Election Commissioners  
-Implement a uniform, statewide balloting system  
-Involve Federal participation with funding, investigation, etc

**Jim Talent**

Former Congressman (R)

Problems: -Voters were turned away  
-Ineligible voters were allowed to vote  
-There is crisis in public trust with current electoral process

Solutions: -Have parties submit multiple nominees to governor for selection to election board  
-Review punch-card system, determine if it is the best  
-Make system more convenient to vote legally & more difficult to vote illegally  
-Provide enough equipment to speed voting  
-Improve registration procedures prior to election day

**Todd Akin**

Congressman (R)

- Insure that our anti-fraud provisions are being enforced (135 of 1,400 voters not registered)  
- Review and tighten statutes regarding misuse of court orders to allow ineligible voters to vote on election day  
- Review and establish new procedures to prevent dual registrations (5000 dual registrations)

**K. Wensein**

**Ida West**

**Joyce Guard**

League of Women Voters

- Establish uniform, statewide balloting procedures and systems
- Improve voting access and procedures for disabled voters
- Alter voting & registration procedures to better accommodate our mobile society
- Review punch-card system & replace if necessary
- Reduce long lines at polling places
- Improve instructions and training for voters and election judges
- Expand the pool of election judges

**Tim Barnhart**

Green Party

- Use new tech to improve integrity of the ballot, vote-casting & vote-tabulating processes
- Replace punch-card system, but make sure new system will produce a paper trail
- Involve minor parties more fully in the process – allow 3<sup>rd</sup> parties to serve as election judges
- Make it easier for new & minor parties to gain and maintain ‘established’ party status
- Improve education of election judges regarding 3<sup>rd</sup> party access & issues
- Provide public financing of elections
- Implement instant runoff voting procedures
- Include minor parties in public debates
- Improve voter education on voting systems and procedures

**Daryl Piggee**

Legal Counsel Democratic Party

- Improve election judge and voter education
- Improve voter registration forms to include better, clearer instructions

**Catherine Hanaway**

State Representative (R)

- Improve operations of current statutory systems – Supplemental Absentee lists not at poll until two hours after polls opened
- Increase pool of election judges & improve training

**Anita Yeckel**

State Senator (R)

- Increase pool of election judges & improve training
- Tighten statutes & improve judicial training regarding appropriate usage of court ordered voting

**Thor Hearne**  
Attorney

- Strengthen anti-fraud statutes and enforcement
- Establish provisions for investigations into fraud allegations at state level
- Tighten law & improve judicial training regarding appropriate usage of court ordered voting
- Investigate allegations of illegal voting in St. Louis City
- Tighten & improve procedures in 115.233 (testing of tabulating equipment) to insure real bipartisan review
- Tighten procedures regarding dual registrations (5,000 in this election)
- Reconcile and clean up state voter registration database
- Establish an election fraud hotline

**Sandy Diamond**  
Kids Voting

- Use Kids Voting to improve voter education & establish good habits to increase participation
- Sec of State should encourage schools & election officials to participate in kids voting
- Include links to Kids Voting on Secretary of State web site
- Secure public funding for Kids Voting

**Paula Carter**  
State Senator (D)

- Work to make St. Louis City board facility more spacious, improve parking, make location more accessible
- Increase pool for judges (schools, businesses) and improve election judge education
- Improve voter education on how to use equipment, deadlines, etc

**David Levin**  
State Representative (R)

- Urges caution in using 'new computerized technologies': insure paper trails, insure security of system
- Cross check issuance of death certificates with registration rolls
- Establish uniform, statewide definition for 'properly cast vote' and for recounts
- Strengthen anti fraud provisions and penalties
- Mail to every statewide voter a 'sample ballot' just as they will see it in the poll
- Improve communication on election day between election judges and central office

**Paul Matteucci**  
Committeeman (R)

- Cautions against liberal early voting without tough anti-fraud provisions and enforcement
- Toughen anti-fraud provisions and enforcement across the board
- Establish uniform, statewide objective standards for recounts, etc
- Limit courts ability to allow election day voting of ineligible voters
- Prohibit judiciary from setting up inside polling places
- Require photo identification for voters
- Require election judges to be truly partisan
- Insure timely voting, there should be enough equip & staff to vote in 30 minutes
- Modernize voting equipment, consider touch screen, et. al., but have paper trail

**Kathlyn Fares**  
State Representative (R)

- Limit cell phone usage within polling place to election judges only

**Sharon Carpenter**  
STL Recorder of Deeds (D)

- Improve system because inactive voter rolls are kicking off eligible voters causing election day confusion

**Jack Bruenner**  
Missouri Republican Assembly

- Don't simplify system so much that we get inaccurate and fraudulent results
- Prefers a return to paper ballot system

**David Adams**

- Provided written testimony

**Bob Baumann**  
Committeeman (R)

- Improve voter registration standards
- Strengthen anti fraud provisions and enforcement
- Change to an electronic system with card

**Deanna Heaumann**  
Election Judge

- Saw people allowed to vote who weren't registered
- Election Board phones were too busy to verify registration
- Ballots had too many candidates and issues
- Lines were too long at polling places

**Mike Chance**  
Committeeman

- Saw voters who admitted to not being residents
- Difficult to reach Board of Election Commissioners by telephone

**Bill Wallish**  
Committeeman (R)

- Take care of election reform on state level, not federal

# Kansas City

## Witness

### **Katherine Shields**

County Executive,  
Jackson County

## Testimony Summary

- Slow down commission review process.
- Supports early voting
- Pursue new technologies where viable
- Improve education and training for election judges to relieve strain
- NOTE: study of switching voting systems in Jackson County places cost \$10 million

### **Melba Curls**

State Representative (D)

- Relieve long lines at polling places
- Increase election judges pay, require employers to let workers serve as judges (jury-like)
- Improve polling place facilities for access, parking, interior space, handicapped access, etc

### **Sandra Reeves**

Collector of Revenue (R)  
Clay County

- Supports voting on weekends
- Look to new technologies to help with failures of punch-card system

### **Carson Ross**

State Representative (R)

- While long lines a concern, we must remember that presidential elections always have heavy turnout
- Increase the pool for election judges (look to schools) and improve training

### **Jean Bojarski**

Libertarian

- Allow established 3<sup>rd</sup> parties to serve as election judges
- Exempt candidates who spend little money, from onerous campaign finance reporting laws
- Abolish contribution limits for candidates & campaigns
- Eliminate primaries – parties should pick their own representatives
- NO public financing of elections
- Add a ‘none of the above’ space on ballots
- Implement instant runoff procedures
- Implement proportional representation in legislature

**Dr. Martha Kropf**  
UMKC Political Science  
Professor

- Report on recent study into punch-card system
- Punch-card not used only in poor demographic areas
- Every voting system has problems
- Uniformity of voting system statewide or nationwide may have very serious adverse impact including costs, accuracy, timeliness and other problems

**Ben Kjelshus**  
Green Party

- Improve 3<sup>rd</sup> party ballot access by reducing the number of signatures needed from 10,000 to 5,000 and make it more difficult to lose establishment – party could have a poor candidate one time
- Allow 3<sup>rd</sup> parties to participate as election judges
- Implement public financing of elections
- Implement instant runoff election procedures
- Implement proportional representation in legislature

**Bobbie Campbell**  
Reform Party

- Kansas City Board of Elections has serious irregularities
- Unauthorized persons are delivering, voting and handling absentee ballots
- Investigate allegations of absentee irregularities and fraud
- Enforce 115.510 regarding notifying new candidates
- Reported on other allegations of fraud

**Elizabeth Delaney**  
Reform Party

- Electronic systems may not be safe solution
- Need statewide authority to investigate allegations of local fraud
- End mid day pick up of ballots, possibility for fraud
- Improve voter instructions on how to accurately cast ballot
- Prefers paper ballot system with audit trail
- Decrease the # of voters voting in a polling place to reduce time required to vote



**Claudia Toomim**  
Reform Party

- Make it easier for 3<sup>rd</sup> parties to maintain 'establishment' – party may have a bad candidate
- Stop on-site, election day registration – too much possibility for fraud
- Make 3<sup>rd</sup> party ballots readily available at primaries – better train election judges
- Clay county ran out of ballots
- Expand pool of election judges to include 3<sup>rd</sup> parties
- Do not allow e-mail nor mail in ballots – too much fraud
- End motor voter – illegal immigrants inappropriately being registered

**Mary Groves-Bland**  
State Senator (D)

- End long lines to vote
- Computerize voting system
- Investigate allegations of irregularities
- Better meet the special needs of seniors and disabled to vote
- Improve voter education on how to use voting equipment
- Improve diversity of commission

**Jack Cashill**  
Journalist

- Testified that he has heard first hand many allegations of voter fraud by political club, Freedom Inc.
- Caution on using new tech without safeguards against fraud, establishing paper trail
- Need to provide state level procedures to investigate allegations of local election fraud

**Ray James**  
Dir. Of Elections KC (R)

- Correct 'fail safe' procedure – it is confusing to voters and difficult to administer
- Improve election judge education
- Canvas procedures need to be tightened, may need help from Federal Government
- Increase election judge pool by allowing 3<sup>rd</sup> party & independent voters to serve
- Increase compensation for election judges
- Institute procedures to cross check voter registration files with state & fed felon records
- Strengthen election authorities ability to secure adequate polling place locations
- Stop inappropriate voting by court order – better educate judiciary on who, what & when

**Diane Auberchon**

Election Judge (D)

- Do not extend voting hours – judges already pushed to limit of exhaustion
- Increase election judge pay

**Anna Hyrne**

Former Candidate/activist

- Need state level authority to investigate allegations of fraud and abuse
- Freedom Inc, intimidating and fraudulently using Byron Buford to commit absentee ballot fraud
- Insure that candidates name appears on ballot – one was left off
- End polling places located in church or office where candidate is on ballot
- Investigate and end satellite absentee ballot centers and procedures
- Replace current top officials at local election boards

**Peggy McGaugh**

County Clerk Carroll (R)

- Pro punch-card system. Accurate, affordable & timely – for small counties
- Not closed to uniform statewide system, but concerned about cost and impact on counties of varying sizes
- Would like certification of appropriate new tech systems, but wants to retain local decision making on which system to use.
- Will need not only money to purchase any new system, but continued money for support

**Stella Sollars**

Former Candidate (R)

- Need to tighten procedures and enforcement of absentee ballot fraud provisions
- Need state authority to investigate allegations of fraud, not local officials
- Investigate satellite absentee ballot centers for fraud

**Leila Cahoon**

Committeewoman (R)

- Should provide for new US citizens a ‘motor voter’ type registration and instructions
- New technology should be used to provide public access to registration data bases to check for inappropriately registered voters

**Doug Boggs**

Election Judge (D)

- Investigate election fraud at state level, not local
- End campaign finance limits
- Against motor voter, bad data, complicated, to prone to fraud & confusing
- Institute death penalty for election fraud
- Eliminate some election days; more people should be involved – reason turnout is down

**Kevin Hennesy**  
Election Judge

- End long lines at polling places
- Improve data in voter registration files – too many inaccuracies
- Notification cards mailed late in Kansas City
- Eliminate punch-card system, too many problems
- Improve election day communication between judges at polls and central office

**Mary Ellen Miller**  
Former Dem chair

- Require local Board of Election Commissioners to hold public hearings after major elections to hear complaints
- Make sure polling places have phone access
- Improve voter instructions regarding appeals
- Improve election judge education
- Wanted more invitations sent out to participate in this commission hearing

**Michael A. Abel**

???

**Ms. Stevens**

- Wanted to report on specific allegations of fraud
- Open polls for voting for 24 hours
- Get rid of bad election judges improve access for better judges
- Improve election judge training
- Improve procedures for registration and absentee balloting

**Sharon Turner**  
Director Kansas City (D)  
Board of Election  
Commissioners

- Defended KC board of election commission against allegations of inappropriate actions
- Tried to explain methodology of some procedures

# Springfield

## Witnesses

**Richard Struckhoff**  
Greene County Clerk (R)

## Testimony Summary

- Motor Voter compliance onerous for election officials – incomplete info from other agencies
- Cost of switching election system will be very expensive: \$3,000 - \$7,000 per unit; Greene County uses approximately 1000 units
- Punch-card recount on Riverboat issue: 33,000 ballots provided 6 vote difference
- There wasn't much court ordered voting
- Return to the old provisions allowing voter to vote at old polling place 1 time – new procedure is an administrative nightmare for election authorities

**Bob Bartlesmeyer**  
Lawrence County Clerk (R)

- Punch-card has problems, but by and large it works
- Need uniform instructions on how to count ballots for recounts
- Cost of switching to touch screen \$500,000 in Lawrence County
- Conducted 40 recounts on punch-card. Totals never change more than a few votes
- Does not support uniform ballots & procedures at federal or state levels
- Concerned about matching \$ for any new systems

**Richard Meyer**  
Democratic Chair, Polk County

- Tough to check one's own punch card for accuracy
- Improve instructions to voter on how to vote
- Wants clearer instructions w/all election related processes – absentee, registration, polling place
- Need to do a better job of recruiting bipartisan judges

**Steve Nibert**

Elkin Swiers

- Issues that need to be considered when switching technologies
- Must have adequate numbers of equipment at each polling place
- How will new system process absentees and split ballots?
- How will new system process write-in ballots?
- What is the cost for switching technologies
- How will new system deal with elderly, disabled access?
- What about software licensing?
- Ballot layout needs to be less confusing
- Public confidence in punch-card is shaky

**Jim Lobbey**

Jasper County Clerk (R)

- Public confidence in punch-card system is very shaky and must be addressed
- Any new system will bring a new set of problems
- Does not support statewide system
- Cost of upgrade current system \$600,000; cost to switch to touch screen system is \$1,500,000

**Paula Meyers**

- Need better absentee ballot instructions
- Many polling places not adequate for easy access
- Need better instructions for voters on how to vote ahead of election and in polling place

**Mary Alice Cantril**

Dem Election Judge

- Need media to help w/voter education as public service
- Commission needs to make its decision based upon what is best, not money
- State must supply money for new technologies demonstration projects & internet voting
- Need to improve accessibility of absentee voting locations

**Charles Cristrup**

Former Candidate

- Commission needs to look at root problems, not just try to fix symptoms
- Need multiple day voting
- Need to expand voter registration and aggressively seek to register new people
- Provide high tech voter id cards, like a credit card
- Establish uniform, statewide system and procedures

**Peggy Stepp**

- Implement no excuse, at will, absentee voting
- Use paper ballots for absentee voting
- Improve election day communication between polling places and central office
- Expand pool for election judges & use 3<sup>rd</sup> parties
- Improve training for election judges & voters
- Election judges get very tired, use shifts of workers
- Concerned w/internet voting and potential for fraud

**Michael Whitmore**  
SMSU student

- Concerned w/internet voting and potential for fraud (kids can hack)
- Have polling place election judges do on site inspections for chad w/each ballot

# Cape Girardeau

## Witness

**Randy Taylor**  
Perry County Clerk (R)

**Skip Smallwood**  
Cape Chamber of Commerce

**Rodney Miller**  
Cape County Clerk (D)

**Kathy Swann**  
Vision 20/20

**Gary Leonard**  
Dent County Clerk (R)

## Testimony Summary

- Punch-card system works reasonably well; all systems have problems
- Motor Voter relieves pressure on county clerks on last day registration lines.
- Need to improve the quality of information forwarded to clerks by state agencies
- Need better, clearer ballot issue language
- Punch-card system works well in cape
- conducted hand recount – 3 vote change
- Need to improve directions and instructions to voters
- 45,000 voters on inactive rolls
- Need to expand pool for election judges, improve pay and training
- Motor voter works well, reduces lines at county clerks office, need better information from other agencies
- If we are going to replace system – where will \$ come from (optical scan change cost Cape Girardeau \$500,000)
- Open to Saturday voting
- Need more help registering voters and getting them to participate
- Motor voter (block 9) needs to be clarified and improved
- Need to better educate judges and voters
- Under votes/over votes not a big problem. Voters decide not to vote in certain elections
- Need clearer ballot language for issues
- Did a recount under current system, only 1 vote change
- If there is to be new system, county will need help with money

**Mary Kasten**

Former State Rep (R)

- Political parties need to be more involved in providing pool for poll workers
- Need better training, better salaries for election judges
- Expand pool for election judges by allowing 3<sup>rd</sup> party participation
- Lengthen hours polls are open, switch to multiple shifts of workers
- Consider weekend voting
- Reduce lines at polling places

**Dr. Peter Berguson**

SEMO Political Science

- Establish uniform, statewide system & procedures
- Explore electronic voting systems?
- Increase number of polling places & equipment to reduce lines
- Improve voter participation – make registration deadline later

**Eileen Steinberg**

League of Women Voters

- Establish uniform, statewide system & procedures
- Improve/simplify voter registration procedures
- Improve election day communication between polls & central office
- Improve voter education
- Implement clear ballot language
- Sample ballot should EXACTLY mirror election day ballot & should be mailed

**Tom Neumeyer**

Cape Dem Chairman

- Improve state effort at voter registration
- Improve state effort to GOTV (Get Out the Vote)
- Implement statewide, uniform optical scan system with procedures
- Punch-card fatally flawed, abandoned by industry

**Greg Talapek**

Libertarian State Chair

- Expand election judge pool (115,081) to allow 3<sup>rd</sup> party participation
- Reduce the number of election days to increase turnout and reduce cost
- Lighten reporting requirements for low dollar candidates
- Raise threshold for finance reporting
- Opt 3<sup>rd</sup> parties out of primaries
- Implement proportional representation



**Patricia Peters**

Election Judge Bollinger

- Don't make voters request party ballot orally – they feel intimidated
- Unify primary ballots onto one sheet but instruct voters can only vote in one party

**Larry Loos**

- Implement uniform, statewide system & procedures
- Punch-card has many negatives
- Improve access & procedures for seniors and disabled
- Need uniform recount procedures in accordance with U.S. Supreme Court ruling
- Do not rely upon electronic systems – too much potential for fraud

**Lorretta Schneider**

Election Judge Cape

- Shorten hours polls are open – too long on judges
- Problems exist with voter registration cards: accurate info & return system not good
- Polling place voter rolls not accurate when received from clerk
- Improve polling place accessibility
- Weekend voting could have conflicts with polling place locations in churches
- Need uniform notification procedures
- Implement no excuse absentee voting

# Kirksville

## Witness

### **Pat Clark**

Macon County Clerk (D)

### **Jon Cook**

Adair County Clerk (R)

### **Jerry Caldwell**

Dem County Committee

### **Ray Klinginsmith**

County Commissioner

### **Tom Hensley**

Prosecuting Atty. (R)

### **Mike Hepler**

County Clerk Sullivan (D)

## Testimony Summary

- Need to simplify instructions on ballots
- Eliminate straight party ballot choice (or provide better instructions)
- No real problems with punch-card
- Tested touch-screen, didn't respond well to touch
- If we are to change system, will need money
- Need to address mobility of students and registration
- Implement uniform, statewide system and procedures
- Improve voter education
- Improve voter registration with better voter education
- Eliminate punch-card system, hard to check own votes, 'antiquated' (patent holder)
- Motor voter mixed results – easier to get voters on rolls; harder to clean up and maintain accurate rolls (at least work on it for students)
- Who will bear costs of change in system?
- Use high school civics classes to educate voters
- Help voters recognize their own responsibility to be educated on voting
- Don't make voting so easy that it increases fraud
- Better voter instructions in polling place
- Prohibit college students voting in local races/issues
- Optical scan worked well in county
- Reduce amount of language (issues) on a ballot – not as confusing
- Eliminate straight party voting – will eliminate some voter confusing

# Jefferson City

## Witness

### **Steve Stoll**

State Senator (D)

## Testimony Summary

- Consider early voting
- Restore confidence in system
- Be creative with sources for money to upgrade equipment, may need to consider federal government
- Improve voter education

### **Yvonne Wilson**

State Representative (D)

- End lines at polling places
- Need to improve voter registration lists
- Hasn't heard any negative comments re punch-card system, but general public sense is concern with the system
- Computerize voting
- Institute early voting

### **Bill Deeken**

County Clerk Cole (R)

- Be careful tossing out punch-card system – 99% error free.
- Replacing system will be costly, who & how paid for?
- All systems have human error & downsides

### **Linda Bartlesmeyer**

State Representative (R)

- Need to look into uniform, statewide system & procedures
- New systems are going to cost money, and state budget has a shortfall
- Consider early voting
- Guarantee Notarization for ALL absentee ballots
- Should at least think about certifying touch-screen to be used in Missouri and alter Missouri statutes to allow it to be certified
- Improve voter education
- Improve election judge and judiciary education
- Expand the pool of election judges

**Jon Dolan**

State Representative (R)

- Three main goals for reform: educate, modernize and standardize
- Consider end result of better more accurate voting, more than money considerations
- Be creative and use graphic in developing voter education materials
- Consider making election day a holiday
- Draft a uniform, statewide recount instructions to prevent Florida's situation with US supreme court
- Insure military voting via internet

**Mitch Moore**

Libertarian

- Don't want bipartisan solutions, we want NONpartisan solutions
- Institute instant runoff election procedure
- Eliminate party primaries
- Shorten campaign season
- Eliminate election days
- Expand election judge pool by involving 3<sup>rd</sup> parties
- Standardize party emblems with national party emblems
- Require fuller campaign finance disclosure on internet
- No fusion elections

**Ed Martin**

Mo Catholic Conference/  
Office of Human Rights

- Improve information and education for voter registration
- Improve training for election judges
- Improve voter education
- Improve polling access for disabled
- Simplify system for disabled voters
- Improve notification and instruction for absentee ballots

**Linda Love**

Callaway County Clerk (D)

- Consider uniform statewide system and standards
- Punch-card worked well in county
- Recounts returned same results or within a couple of votes

**Wendy Noren**

Boone Clerk (D)

- Enforce ADA at polling places
- Involve parties more fully in selection & provision of judges
- Adopt uniform standards for recounts
- Improve communication between polling places & central office
- Bring \$ help to counties for elections – even though money appropriated, haven't received (ask OA to release funds)
- Look at fixing punch-card
- Improve voter education
- Make working as an election judge equal to 'jury service'
- Have had some experience utilizing 3<sup>rd</sup> parties, but not as judges

**Mary Berry**

DeKalb County Clerk (D)

- Optical scan good, need to have precinct counters to better handle intent of voter who makes a mistake
- Upgrade cost is prohibitive – \$6,500 per machine, I have 11 polling places
- Improve voter education, use parties, media
- Treat election judge service like jury service
- Might support making election day a holiday

**Dennis Von Allmen**

Howell County Clerk (R)

- Not necessarily comfortable with precinct counters at all polling places, need better oversight

# Teleconference

## Witness

**Jim Ford** *Hannibal*  
Pike County Clerk (D)

**Pat Conway** *St. Joseph*  
Buchanan County Clerk (D)

**Betty Williams** *St. Joseph*  
Andrew County Clerk

**Ben Mendenhall** *Nevada*

**Wava Halcomb** *Nevada*  
Clerk Vernon (D)

**Jim Lobbey** *Nevada*  
Jasper County Clerk (R)

## Testimony Summary

- Motor Voter problematic – very difficult to clean registration rolls
- Op scan works well
- Recount with op scan – 1700 votes, 1 vote difference
- Don't like punch-card – punch-card absentee very confusing
- Extend polling hours
- Stop motor voter at gambling boats – people are traveling for recreation, not relocating like with driver's license.
- Hopes commission will produce a consolidated report containing all proposals for review
- Has experienced problems with optical scan all year long, absentees wouldn't feed correctly, counter wrongfully full, took till 6:30 am to finish
- Look into early voting
- Make voting easier for military personnel
- Optical scan works well, only 1% variance
- Support motor voter
- Optical scan system works well
- Look in to uniform, statewide system
- Adjust 115.117 so facilities also make parking available
- Make finding election judges easier

**Ray Neighbors** *Portageville*

- Supports uniform, statewide system & procedures
- New systems need to be electronic & technically advanced

**Sandy Wells** *Park Hills*  
St. Francois Clerk (D)

- Consider tightening regulations on individuals and organizations who register voters (not giving correct info to voters they are registering)
- Expand pool for poll workers, improve education & pay
- Motor Voter okay
- Punch-card needs better training for poll workers

**Eleanor Koch Rehm** *Park Hills*  
Jefferson Clerk (D)

- Support early voting
- Should consider weekend voting
- Should provide better assistance and education for those helping cast absentee ballots

**Norma Stack** *Mexico*  
Assistant Clerk

- Improve motor voter info provided to clerks
- Improve communication between poll and central office

**Ken Keller** *Mexico*

- How are judges selected?
- We need to do a better job involving parties.
- Often less judges than law requires
- Make sure county clerks pick from party lists

**Gary Leonard** *Salem*  
Dent County Clerk (R)

- Judges are good in Dent & parties do submit lists
  - Motor Voter relieves some pressure from clerks
- Secretary of State needs to provide duplicate registration list more often 2 times a year
- Improve education and training

**Gil Powers** *Warrensburg*  
Clerk Johnson (R)

- Op scan good, but any system will have problems
- Need to pay election judges more
- Expand pool of judges – students, jury type duty, 3<sup>rd</sup> party
- Need to go to precinct counters for op-scan (allows voter to correct vote)
- Need money to update -- \$150,000 for precinct counters alone

**Maxine Jaeger** *Warrensburg*  
Dem Committeewoman

- Support uniform, statewide system and procedures

**Brenda Shivers** *Rolla*  
County Clerks office

- Punch-card works well
- Motor Voter problematic with good registration rolls, accurate info from other agencies

**John Dunivan** *Poplar Bluff*  
Clerk Butler (D)

- Punch-card worked smoothly
- Looked at op scan – systems with similar cost to punch-card did not work better
- Postcard registration problem need instruction for ‘deputy registrars’ -- often doesn’t include complete info
- Motor Voter problem with info from other agencies
- Supports ‘no excuse’ early voting (could handle 5 days with existing staff)
- Maybe weekend voting
- Standardize party emblems with national to reduce confusion

**Matt Hensen** *Poplar Bluff*  
GOP Chair

- Need to keep registration rolls cleaner – postcard system ineffective

**Ms. Findley** *Poplar Bluff*  
Fee Agent

- Motor Voter administration is almost coercion to public! Difficult to process
- Customers complain to Fee office never got on rolls
- License bureau doesn’t collect physical addresses which make info inadequate to clerks
- Support making it easier for person to transfer registration when moving

**Roger Pryor** *Jefferson City*  
Gasconade Clerk (R)

- Happy with punch-card system
- 3 recounts – 2 did not change; 1 changed by one vote
- Problems with card readers
- Motor voter okay, but agencies get address information wrong
- Touch screen very expensive
- Voter rolls need to be more accurate
- Improve pool of election judges from parties



**Unidentified**

- Improve voter participation – 3 of 5 skipping voting

**Fred Springstiel** *Jefferson City*

- Insure current legal procedures are being followed – use numbered seals not padlocks, verify boxes empty, early pick ups signed off on by 2 republicans and 2 democrats

## **APPENDIX C**

### **Summary of Public Contact by Electronic mail and Regular Mail**

## **BLUNT COMMISSION**

### EMAIL AND LETTER RESPONDANTS

#### **EMAIL**

[lmelahn@socket.net](mailto:lmelahn@socket.net) 1-24

- 1) Concerns about punch card system – standardize hand counting procedures
- 2) Motor voter – require voters to notify of address change, fraud could be caused by ease of registration.

[Jleinsdorf@monmouth.com](mailto:Jleinsdorf@monmouth.com) 1-22

- 1) Need to include registered and total ballots in the official canvass.

[bellding2@mymailstation.com](mailto:bellding2@mymailstation.com) 1-21

- 1) Not enough information on the elections, need to mail sample ballots to everyone

[imeadows@fidnet.com](mailto:imeadows@fidnet.com) 1-21  
(election judges)

#### Problems

- 1) Long lines
- 2) Choosing wrong lines at multiple precinct/ward polling places
- 3) Long wait for election judges to get through to county election officials
- 4) Non-registered people showing up at polls
- 5) Malfunctioning paper/punch machines

#### Suggestions

- 1) Each county seat should have same computer database capability
- 2) Each poll should have same link to county officials in case of questions
- 3) Voter friendly voting machines
- 4) Fool proof voting machines
- 5) Instant vote tabulation at the polling place
- 6) Clearer mailed cards regarding voting location
- 7) Clearer instructions to judges regarding disabled voters

[e\\_chasteen45@hotmail.com](mailto:e_chasteen45@hotmail.com) 1-21

- 1) No need to do anything

[moreformchair@lycos.com](mailto:moreformchair@lycos.com) 1-19

(marvalene pankey, mo reform party chair)

- 1) Official Reform Party representatives were not invited to speak, those from Reform Party were speaking on their own behalf.

[faye\\_peters@mcsa.org](mailto:faye_peters@mcsa.org) 1-19

- 1) Should be able to fax requests for absentee ballots.

[martin@showme.net](mailto:martin@showme.net) 1-19

- 1) Should use technology to improve voting.

[Hyperconjugate@go.com](mailto:Hyperconjugate@go.com) 1-16

- 1) Reform absentee voting – accept fax requests, refine notary process.
- 2) Ensure good faith effort by universities to register student voters.

David and Garlyn Saupe 1-18

- 1) Condense elections – hold all at the same time.
- 2) Mailings to voters to inform of candidates/issues.

[Sherly\\_Smith@mail.msta.org](mailto:Sherly_Smith@mail.msta.org) 1-17

- 1) Absentee ballots – ensure that they count as much as other ballots.

Bob and Bonnie 1-17

- 1) College students shouldn't be allowed to vote on local tax increases when they are only temporary residents.

[pennybenett@juno.com](mailto:pennybenett@juno.com) 1-17

- 1) Registering at the polls and voting immediately in the presidential election should not be allowed.

[larry@showme.net](mailto:larry@showme.net) 1-17

- 1) Encourages use of paperless, electronic systems.

[bode3@lvol.com](mailto:bode3@lvol.com) 1-16  
(election judge)

- 1) Had few problems with punch-card ballots, they gave new ballots when there were problems.
- 2) Do not go to internet voting.

[chill@va.rr.com](mailto:chill@va.rr.com) 1-16

- 1) Internet voting would invite fraud.
- 2) He is a former Oklahoma voter, he explains their system which he says is better. It appears much the same as in Missouri with the exception of instant tabulation of votes in the precinct to determine invalid votes.
- 3)

[stevensjudith@mindspring.com](mailto:stevensjudith@mindspring.com) 1-16

- 1) Educate voters.
- 2) No voter should be turned away, challenge ballots after the election.
- 3) More modern machines.
- 4) Electoral college delegates not needed, the votes can be done electronically.
- 5) Electoral college vote by percentage of popular vote.
- 6) Eliminate registration fraud by using retinal eye scanner.
- 7) Proper notarization of absentee ballots.
- 8) Send in the FEC, Justice Dept. or National Guard to monitor minority disenfranchisement.
- 9) Have enough polling places so there aren't long waits.
- 10) Allow felons who have fulfilled their sentence to vote.
- 11) Special polling places for disabled and homeless.
- 12) Publicly financed campaigns.
- 13) Shorten election season.
- 14) Same day for all presidential primaries.
- 15) Allow more 3<sup>rd</sup> party ballot access.
- 16) Free radio and television time to all candidates for interviews and debates.
- 17) Media should not declare winner until all polls close.
- 18) No media inside polling places, should allow electioneering closer to polls.
- 19) CSPAN shouldn't cover the British government.

[waciuma@brown.edu](mailto:waciuma@brown.edu) 1-16

Send copy of report.

[fmerce@swbell.net](mailto:fmerce@swbell.net) 1-15  
(election judge)

- 1) Couldn't get through to election board (SL County), could computers work?
- 2) Motor Voter – license bureau can't handle registration and they shouldn't as many are patronage positions.
- 3) Same election judges shouldn't be allowed at same polling places for many years in a row, they get complacent and let people vote who shouldn't.

[bellding2@mymailstation.com](mailto:bellding2@mymailstation.com) 1-15

- 1) Never knows when to vote or who is voting, need mailings to all voters. Have to rely on media to get information.

[Rvrwoods@aol.com](mailto:Rvrwoods@aol.com) 1-15

- 1) Lack of information about absentee voting.

[Rachel700@home.com](mailto:Rachel700@home.com) 1-13

- 1) Absentee voting – how is it listed in the book whether someone has voted absentee to prevent them from voting twice?

[dee\\_job1@swbell.net](mailto:dee_job1@swbell.net) 1-12

- 1) Naturalized citizens should have to pass an awareness test to vote.

[watcher@primary.net](mailto:watcher@primary.net) 1-12

- 1) Use same type of system used to vote for corporate boards, etc. Use proxy with identification number and accurate records.

[dee\\_job@swbell.net](mailto:dee_job@swbell.net) 1-11

- 1) Same voting times nationwide.
- 2) Don't do midday tally.
- 3) Do not do hand counting of ballots.
- 4) Voter must have acceptable ID and be in the book. It is the responsibility of the voter to make sure they are registered.
- 5) Change election to Sunday
- 6) Keep the electoral college.

[moreformchair@lycos.com](mailto:moreformchair@lycos.com) 1-11

- 1) Complaints about the commission.

[Alice789@webtv.net](mailto:Alice789@webtv.net) 1-11

- 1) Only include candidates for office on ballot, not issues.
- 2) Employers should let employees off to vote.

Mary Singleton 1-11  
(election judge)

- 1) Allow county committees to appoint election board.
- 2) Need good election judges.
- 3) Election board needs to be more accessible.

[lp\\_mex@prodigy.net.mx](mailto:lp_mex@prodigy.net.mx) 1-11

- 1) Absentee voting – no need for notarization .
- 2) Need more timely delivery of ballots overseas.

[jcashill@aol.com](mailto:jcashill@aol.com) 1-10

Article concerning misconduct in Kansas City.

[Jase@win1.net](mailto:Jase@win1.net) 1-10

- 1) Photo Voter ID card.
- 2) Election judges should be allowed to work in counties other than their own.
- 3) Ballot guards to observe polling places and escort ballot boxes.
- 4) Allow state employees, on their own time, to participate in elections.
- 5) Idiot proof ballots (more user friendly).
- 6) Counties must make public the returns as they are received.
- 7) Deceased candidate's votes should not be counted.

[bea647@hotmail.com](mailto:bea647@hotmail.com) 1-10

- 1) More and better trained election judges.
- 2) Better instructions for voters.

[Gil.pyles@att.net](mailto:Gil.pyles@att.net) 1-10

- 1) polls were open late in St. Louis.

Lawrence County 1-10

- 1) Increase training and pay for election judges.
- 2) Legislation to make counting of ballots uniform.

[tmartin@gabrielmail.com](mailto:tmartin@gabrielmail.com) 1-10

- 1) Touch screen voting with a printout that the voter would turn in as a ballot.

[uasmith@inlink.com](mailto:uasmith@inlink.com) 1-10

- 1) safeguard against fraud
- 2) electronic votes could be subject to fraud
- 3) get rid of punch card ballots, use precinct based instant scanner to tabulate votes
- 4) add none of the above as an option to help determine undervotes
- 5) do not make it too easy to register to prevent fraud
- 6) ID must be used to prevent fraud
- 7) Check rolls before election to clear deceased or relocated voters

[jlakin@mawc.com](mailto:jlakin@mawc.com) 1-10

- 1) Election judges shouldn't have to reside where they work on election day.
- 2) Missouri AG should establish non-partisan polling officials to monitor elections.
- 3) ID must be presented.
- 4) Review absentee ballot process.

[tuckerbill@hotmail.com](mailto:tuckerbill@hotmail.com) 1-10

- 1) Election judges shouldn't have to reside where they work on election day.
- 2) Missouri AG should establish non-partisan polling officials to monitor elections.
- 3) ID must be presented.

[Jayripee@cs.com](mailto:Jayripee@cs.com) 1-16  
(election judge)

- 1) Make sure to consult election judges and not just county clerks.



## **LETTERS**

Don Sartain, St. Joseph

- 1) Level playing field through campaign finance reform.
- 2) Review punch card system, has had personal experience with difficulties.
- 3) If using an electronic system there should be a paper trail.
- 4) All paid political advertising should be banned.
- 5) Debates and voter guides must contain all balloted candidates.
- 6) Ballot status to be obtained by petition only.
- 7) Paid signature gatherers for petitions not allowed.
- 8) Electronic signature gathering allowed.
- 9) No party affiliation on ballots.
- 10) Run-off elections.

Deanna Heuermann, St. Louis County, election judge

- 1) Ballot measures too lengthy and legalistic, need to simplify.
- 2) People allowed to vote who weren't in the books, couldn't get through to election board to verify.
- 3) Punch card ballots can work if done properly.
- 4) Election board positions should not be patronage.
- 5) Tobacco settlement money should be spent on election reforms.

Joseph C. Keller, M.D., Chesterfield

- 1) In 1998 his name was left off the ballot. An investigation said the election was not significantly affected.
- 2) In 1998 the report the next morning said one candidate won, later that day the Secy. Of State's Office said another won.

Lois Linton, Wildwood

- 1) Complaint about not getting to testify at St. Louis hearing.

Unknown, Springfield

- 1) Open polls one or two hours later.

Frank Rycyk , Jefferson City, election judge

- 1) Potential problems concerning ballot tampering by election judges.
- 2) Election judges should be rotated year by year to prevent improprieties.

Margo McNeil, Florissant

- 1) Get rid of the punch card system.
- 2) Allow more time to vote.

Dick and Mary Jo Froman

- 1) Send out a sample ballot with date, candidates and issues.

Dan & Suzan Sullivan

- 1) Canvas voter rolls to prevent duplicates statewide.
- 2) Get rid of punch card system.

Federal Voting Assistance Program

- 1) Eliminate notary requirement on overseas military ballots.
- 2) Allow late registration for military members and their family when they are discharged after the deadline.
- 3) Refer to the Uniformed and Overseas Citizens Absentee Voting Act in the statutes.
- 4) Allow members of the uniformed services and their families who live outside the U.S. to apply for absentee ballots and vote absentee by electronic transmission.
- 5) Expand use of Federal Write-in Ballot (FWIB) to include general, special, primary and run-off elections.
- 6) Use FWIB as request for registration.
- 7) Allow U.S. citizens who have never lived in the U.S. to register and vote.

Bob Bartlesmeyer, Mt. Vernon, Lawrence Co. Clerk

- 1) Voter education.
- 2) Address uniformity in county ballots.

Edward L. Adelman, St. Louis

- 1) Get rid of punch card ballots.